

07-05-01

DOCKET NO.: 19603/3211 (CRF D-2594A)  
EXPRESS MAIL NO.: EL709323356US

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Box/Seq

07/03/01  
JC962 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY PATENT APPLICATION TRANSMITTAL FORM  
(only for new nonprovisional applications under 37 CFR 1.53(b))

JC997 U.S. PTO  
09/898659  
07/03/01

ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

BOX: PATENT APPLICATION

SIR:

Transmitted herewith for filing is the patent application (including Specification, Claims, and Abstract, 37 pages) and Sequence Listing (25 pages) of:

Inventor(s): **Steven D. Tanksley**

For : **GENE CONTROLLING FRUIT SIZE AND CELL DIVISION IN PLANTS**

*\*\*If a CONTINUING APPLICATION, please mark where appropriate and supply the requisite information below and in a preliminary amendment:*

[ ] Continuation [ ] Divisional [ ] Continuation-In-Part (CIP)  
of prior application Serial No. \_\_\_\_\_

Prior application information: Examiner :  
Art Unit :

Enclosed are:

- ☒ 6 sheets of formal drawings.
- ☐ **Signed** Combined Declaration and Power of Attorney (\_\_\_\_\_ pages).
- ☐ **Copy** of **signed** Combined Declaration and Power of Attorney (\_\_\_\_\_ pages) from a prior application (1.63(d) (for continuation/divisional).
- ☐ **Signed** statement deleting inventor(s) named in prior application (\_\_\_\_\_ pages) (1.63(d)(2) and 1.33(b)).
- ☐ **Incorporation By Reference:** The entire disclosure of the prior application, from which a **copy** of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the enclosed application and is hereby incorporated by reference therein.
- ☐ Assignment (\_\_\_\_\_ pages) of the invention to \_\_\_\_\_.
- ☐ Assignment Transmittal Letter.
- ☐ Certified copy of a foreign priority document.
- ☐ Associate power of attorney.
- ☒ Applicant claims small entity status. (See 37 CFR 1.27.)

- ☐ Preliminary Amendment (\_\_\_\_ pages).
- ☒ Information Disclosure Statement, form PTO-1449 (2 pages) and 16 references.
- ☒ **UNSIGNED** Combined Declaration and Power of Attorney (2 pages).
- ☒ Statement in Accordance with 37 CFR § 1.821(f) and computer readable 3.5" Diskette.
- ☒ A self-addressed, prepaid postcard acknowledging receipt.
- ☐ Other:


The Filing fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	SMALL ENTITY			LARGE ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR	RATE	FEE
BASIC FEE	XXXXXXXX	XXXXXXXX	XXXX	\$355	OR	XXXX	\$710
TOTAL CLAIMS	55 - 20 =	35	x 9 =	\$315	OR	x 18 =	\$
INDEP CLAIMS	2 - 3 =	0	x 40 =	\$ 0	OR	X80 =	\$
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			x135 =	\$	OR	x270 =	\$
*If the Total Claims are less than 20 and Indep. Claims are less than 3, enter "0" in Col. 2			TOTAL	\$670	OR	TOTAL	\$

- ☒ A check in the amount of **\$670.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1138. **A duplicate copy of this sheet is enclosed.**
- ☒ Address all future communications to:

Michael L. Goldman, Esq.  
NIXON PEABODY LLP  
Clinton Square, P.O. Box 31051  
Rochester, New York 14603-1051

Date: July 3, 2001

  
Michael L. Goldman  
Registration No. 30,727

NIXON PEABODY LLP  
Clinton Square, P.O. Box 31051  
Rochester, New York 14603-1051  
Telephone: (716) 263-1304  
Facsimile: (716) 263-1600

**EXPRESS MAIL CERTIFICATE**

DOCKET NO. : 19603/3211 (CRF D-2594A)  
APPLICANT : Steven D. Tanksley  
TITLE : GENE CONTROLLING FRUIT SIZE AND CELL DIVISION IN  
PLANTS

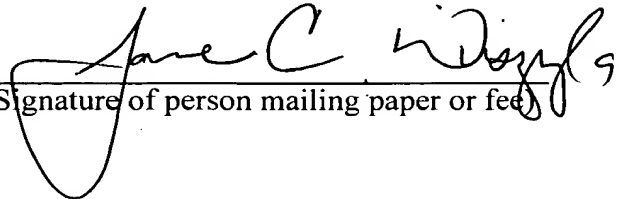
Certificate is attached to the **Utility Patent Application Transmittal Form**  
(2 pages) of the above-named application.

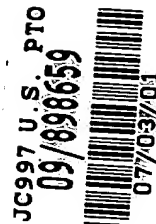
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DATE OF DEPOSIT: July 3, 2001

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Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the  
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Washington, D.C. 20231, **Box Patent Application**.

**Jane C. Wirszyla**

(Typed or printed name of person mailing  
paper or fee)

  
(Signature of person mailing paper or fee)



**EXPRESS MAIL CERTIFICATE**

DOCKET NO. : **19603/3211 (CRF D-2594A)**  
APPLICANT : **Steven D. Tanksley**  
TITLE : **GENE CONTROLLING FRUIT SIZE AND CELL DIVISION IN PLANTS**

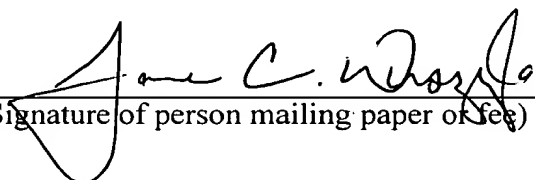
Certificate is attached to the **Formal Drawings (6 pages)** of the above-named application.

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DATE OF DEPOSIT: **July 3, 2001**

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**Jane C. Wirszyla**

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(Signature of person mailing paper or fee)



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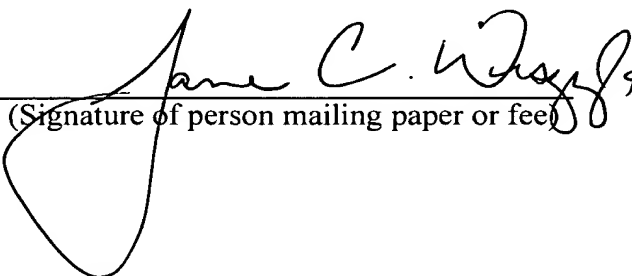
Certificate is attached to the **Information Disclosure Statement (1 page) and PTO-1449 (2 pages, in duplicate) with 16 references** of the above-named application.

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DATE OF DEPOSIT: **July 3, 2001**

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**Jane C. Wirszyla**

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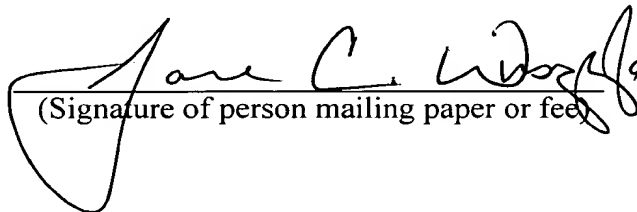
Certificate is attached to the **Patent Application Including Specificaton, Claims, and Abstract (37 pages), Unsigned Combined Declaration and Power of Attorney (2 pages), and Sequence Listing (25 pages)** of the above-named application.

"EXPRESS MAIL" NUMBER: **EL709323356US**  
DATE OF DEPOSIT: **July 3, 2001**

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**Jane C. Wirszyla**

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paper or fee)

  
(Signature of person mailing paper or fee)



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TITLE : GENE CONTROLLING FRUIT SIZE AND CELL DIVISION IN  
PLANTS

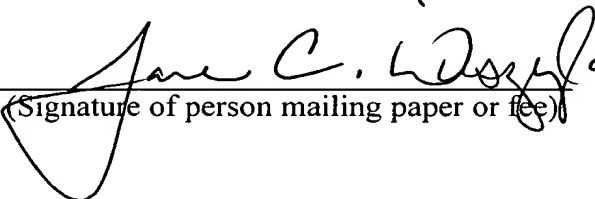
Certificate is attached to the **Statement in Accordance with 37 CFR § 1.821(f) and the 3/5" Diskette Containing Sequence Listing** of the above-named application.

"EXPRESS MAIL" NUMBER: **EL709323356US**  
DATE OF DEPOSIT: **July 3, 2001**

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**Jane C. Wirszyla**

(Typed or printed name of person mailing  
paper or fee)

  
(Signature of person mailing paper or fee)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Steven D. Tanksley	)	Examiner:
		)	To Be Assigned
Serial No.	: To Be Assigned	)	
		)	Art Unit:
Cnfrm. No.	: To Be Assigned	)	To Be Assigned
		)	
Filed	: Herewith	)	
		)	
For	: GENE CONTROLLING FRUIT SIZE AND	)	
	CELL DIVISION IN PLANTS	)	

STATEMENT IN ACCORDANCE WITH 37 CFR § 1.821(f)


Assistant Commissioner for Patents  
Washington, D.C. 20231  
**Box: Patent Application**

Sir:

In accordance with 37 CFR § 1.821(f), this statement confirms that the contents of the Sequence Listing attached to the subject application as submitted herewith and on the computer readable 3.5" Diskette submitted herewith are the same.

Respectfully submitted,

Date: July 3, 2001

  
Michael L. Goldman  
Registration No. 30,727

NIXON PEABODY LLP  
Clinton Square, P.O. Box 31051  
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